

field has one bit which indicates whether or not a motion vector and a DCT are encoded in the bit stream. That is, if the COD field is "0", the information is not motion vector and DCT encoded. Because the COD field is represented by only one bit, if this bit has an error, the information is easily misinterpreted. Additionally, there is no way to tell if the information is encoded using only a motion vector or is encoded using only DCT. For example, if an image is in motion on a predetermined background, then only the motion vector is needed for encoding.

The present invention improves on the prior art by providing a field code having at least two bits. Preferably, when the COD field has a bit value of "11", it indicates that neither the motion vector nor the DCT value are encoded; when the COD field has a bit value of "00", it indicates that both the motion vector and the DCT are encoded; and when the COD field has a bit value of "01", it indicates that only the MV is encoded.

Preferably, when an error exists in a channel, only the two values of "00" and "11" are used in an error allowable mode.

*The rejection of claims 8-10 and 14*

Claims 8-10 and 14 have been rejected under 35 U.S.C. § 103 as being unpatentable over Lee et al (USP 5,748,789). Applicants respectfully request reconsideration and withdrawal of the rejection of these claims.

First, Lee et al has a filing date of December 31, 1997. The present application claims benefit of priority from a provisional application which was filed on December 1, 1997. Therefore, Lee et al cannot be applied as a reference against the claims of the current application to the extent that the provisional application supports the claims in the manner prescribed by 35 U.S.C. § 112, first paragraph. Applicants submit that claims 8-10 and 14 are supported in the

manner required by § 112, first paragraph. Accordingly, Applicants respectfully submit that Lee et al is not a proper reference against these claims.

Additionally, Applicants submit that claims 8-10 and 14 are not rendered obvious by Lee et al. Lee et al merely shows what is described in the background section of the application.

Claim 8 recites:

generating an extended code (COD) field  
representing a coding state of said information; and  
including, in said extended code field, a bit stream  
indicating whether both a motion vector (MV) and a discrete  
cosine transform (DCT) value are not encoded, whether both the  
MV and the DCT are encoded, or whether only the MV is encoded.

In rejecting the claims, the Examiner states:

Even though Lee et al does not specifically disclose both the motion vector and the DCT value being not encoded, it is quite obvious if not inherent to realize determining the motion vector and the DCT value being not encoded since Lee et al clearly teaches indicating whether both the motion vector and the DCT value in a macroblock being decoded as specified.

However, the Examiner does not mention the claimed feature of including in the extended code field, a bit stream indicating whether, among other things, only the MV is encoded. This reference does not teach or suggest providing such an indication. At least for this reason, claims 8-10 and 14 are not rendered obvious by Lee et al.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

• AMENDMENT

U.S. Appln. No. 09/203,672

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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